

IN THE UNITED STATES PATENT AND TRADEMARK OFFICECertificate of Transmission

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Total pages in this transmission: 8

Gudrun E. Huckett

Gudrun E. Huckett, Patent Agent

Applicant: Thomas Hugen  
 Serial No: 10/088,029  
 Intern. Filing Date: 5 August 2000  
 Title: Comminuting Machine

PCT No.: PCT/EP00/07612  
 Attorney Docket: 19943518

**ATTN: Patricia Booker**  
**Paralegal Specialist - PCT Operations, DO/EO**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

## LETTER

In response to the e-mail notification received today, I am attaching copies of the petition for revival filed June 24, 2002, including fee transmittal sheet and including fax report showing proper transmission of the of three sheets on that day.

Also included is a letter submitted on November 8, 2004, in reponse to the USPTO letter dated 27 September 2004 stating that no petition to revive has been received. The letter included copies of the petition and also the fee transmittal sheet as well as the fax report mentioned above. A copy of the return card showing that the correspondenc has been received on November 10, 2004, is attached also.

It is therefore respectfully requested that the application be revived. As acknowledged in the e-mail, the required fees have been received in the USPTO. Please note the attached change of correspondence address form.

Respectfully submitted on September 12, 2005,

Gudrun E. Huckett  
 Ms. Gudrun E. Huckett, Ph.D.  
 Patent Agent, Registration No. 35,747  
 Lönssstr. 53  
 42289 Wuppertal, GERMANY  
 Telephone: +49-202-257-0371  
 Facsimile: +49-202-257-0371 CSID: 00000005 501199 10088029  
 gudrun.draudt@t-online.de DA#: 501199 10088029  
 65.00 DA

Encl.: - 3 pages petition to revive (including 1 sheet fee transmittal sheet) dated 6/24/2002  
 - 1 page fax report dated 6/24/2003  
 - 1 page letter dated 11/8/2004 resubmitting the petition  
 - 1 page copy of return card - correspondence has been received on 11/10/2004  
 - 1 page change of correspondence address form -PTO/SB/122

PTO/SB/64 (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)  
**19943518**

First named inventor: **Thomas Hugen**

Application No.: **10/088,029**  
PCT/EP00/07612 filed **8/5/2000**

Filed: **3/11/2002**

Art Unit:

Examiner:

Title: **Comminuting Machine**



**FAXED**  
*6/10/02*

*GERT*

Attention: Office of Petitions  
Assistant Commissioner for Patents  
Box DAC  
Washington, D.C. 20231

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extensions of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee —required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

Small entity-fee \$ **640** (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

Other than small entity - fee \$ \_\_\_\_\_ (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of **U.S. Basic National Fee \$445** (identify type of reply):

has been filed previously on \_\_\_\_\_  
 is enclosed herewith.

B. The issue fee of \$ \_\_\_\_\_.

has been paid previously on \_\_\_\_\_  
 is enclosed herewith.

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PTO/SB/64 (10-01)

Approved for use 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**3. Terminal disclaimer with disclaimer fee**

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

**4. STATEMENT:** The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

6/24/2002

Date

Gudrun E. Huckett

Signature

Telephone

Number: 505 266-2138Gudrun E. Huckett, Reg. No. 35747

Typed or printed name

P.O. Box 3187, Albuquerque, NM 87190

Address

Enclosures:  Fee Payment

Reply

Terminal Disclaimer Form

Additional sheets containing statements establishing unintentional delay

Other: \_\_\_\_\_

**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being:

deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231.

transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916. Number of sheets in this transmission: 3

6/24/2002

Date

Gudrun E. Huckett

Signature

Gudrun E. Huckett

Type or printed name of person signing certificate

PTO/SB/17 (11-01)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2002

*Patent fees are subject to annual revision.*

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

## Complete if Known

Application Number	10/088,029
Filing Date	3/11/2002
First Named Inventor	Thomas Hugen
Examiner Name	
Group Art Unit	
Attorney Docket No.	19943518

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money Order  Other  None
 Deposit Account:

Deposit Account Number	501199
Deposit Account Name	Gudrun E. Huckett

The Commissioner is authorized to: (check all that apply)

 Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.
 

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
101 740	201 370	Utility filing fee	
106 330	206 185	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	
SUBTOTAL (1) (\$)			

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			-20** =	X	=
			-3** =	X	=

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)		

\*\* or number previously paid, if greater. For Reissues, see above

## 3. ADDITIONAL FEES

## Large Entity/Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
138 130	138 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 480	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	
119 320	219 180	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	640.00
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	40.00
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(g))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	
Other fee (specify) US Basic National Fee		445.00	
*Reduced by Basic Filing Fee Paid		SUBTOTAL (3) (\$)	
		1125.00	

SUBMITTED BY		Complete if applicable		
Name (Print/Type)	Gudrun E. Huckett	Registration No. (Attorney/Agent)	35,747	Telephone 505-266-2138
Signature	Gudrun E. Huckett		Date	6/24/202

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Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

HP LaserJet 3100  
Printer/Fax/Copier/Scanner

SEND CONFIRMATION REPORT for  
GUDRUN HUCKETT, PATENT AGENT  
505 266 2138  
Jun-24-02 10:46AM

Job	Start Time	Usage	Phone Number or ID	Type	Pages	Mode	Status
367	6/24 10:44AM	1'12"	703 308 6916	Send.....	3/ 3	EC144	Completed.....

Total 1'12" Pages Sent: 3 Pages Printed: 0

PHSGM011B-01  
Approved for use through 10/02/2002. GSA FPMR (41 CFR) 101-11.7(e)(2)

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no person is required to respond to a question in a form that is subject to a collection of information if it contains an "Information Collection Request" and it has been approved.

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.13(b)	Docket Number (Optional) 19943518
First named inventor: Thomas Eugene Application No.: 10/088,029 Filed: 8/5/2000 Art Unit: File: 3/11/2002 Examiner:  Title: Communicating Machine  Attorney: Office of Patents Assistant Commissioner for Patents Box DMC Washington, D.C. 20231  NOTE: If information or assistance is needed in completing this form, please contact Patents Information at (703) 305-4212.  The above-identified application became abandoned for failure to file a utility and proper reply to a notice of action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extension of time actually obtained.	
<b>APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION</b>	
NOTE: A grantable petition requires the following items: (1) Petition fee; (2) Reply and/or issue fee; (3) Terminal disclaimer with disclaimer fee (required for all utility and plant applications filed before June 6, 1985 and for all design applications); and (4) Statement that the entire delay was unintentional.	
1. Petition fee <input checked="" type="checkbox"/> Small entity fee \$ 64.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27. <input type="checkbox"/> Other than small entity - fee \$ _____ (37 CFR 1.17(m)) 2. Reply and/or fee A. The reply and/or fee is the above-noted Office action in the form of <u>D. S. Basic Marconi, Inc. Fee \$ 4445</u> (Identify type of reply): <input type="checkbox"/> has been paid previously on _____ <input type="checkbox"/> is enclosed herewith. B. The reply fee of _____ <input type="checkbox"/> has been paid previously on _____ <input type="checkbox"/> is enclosed herewith.	

[Page 1 of 2]

Burton Mail Statement: This form is to be mailed in less than 1.5 hours to everyone. Thus, all corresponding letters are made of one individual class. Any comments or the names of those who are required to complete this form should be sent to the Chief Management Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**DHL EXPRESS 552 6567 653**

Applicant: Thomas Hugén  
Serial No: 10/088,029 PCT No.: PCT/EP00/07612  
Intern. Filing Date: 5 August 2000 Attorney Docket: 19943518  
Title: Commuting Machine

**Mail Stop PCT  
ATTN: Office of PCT Legal Administration  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

**LETTER**

The undersigned received a response dated 27 September 2004 responding to status inquiries filed on 10 February 2004 and 2 July 2004.

The response states that no petition for revival has been found in the incoming papers.

A copy of the petition faxed on 24 June 2002 is attached. The undersigned herewith states that the copy is a true copy and, as evidenced by the certificate of mailing or transmission by fax on page 2 of the Petition for Revival, that she has faxed the papers on June 24, 2002, to the USPTO at fax number provided in the certificate. Also attached is a confirmation report printed by the fax machine of the undersigned showing that the transmission of three pages was successfully completed on June 24, 2002, to the fax number provided in the certificate of transmission (this is the fax number provided by the USPTO on the official petition form).

Note that the undersigned has relocated to GERMANY since filing the petition for revival.

It is therefore respectfully requested that the application be revived and that the required fees be charged to Patent and Trademark Office deposit account 50-1199.

Respectfully submitted on November 8, 2004,

*Gudrun E. Huckett*  
Ms. Gudrun E. Huckett, Ph.D.  
Patent Agent, Registration No. 35,747  
Lönsstr. 53  
42289 Wuppertal  
GERMANY  
Telephone: +49-202-257-0371  
Facsimile: +49-202-257-0372  
gudrun.draudt@t-online.de

Encl.: - 3 pages petition to revive including fee transmittal sheet (1 sheet)  
- 1 page fax report

DHL EXPRESS 552 6567 653      Date: November 8, 2004      Docket: 19943516

Please acknowledge receipt of the documents listed below by placing your receiving stamp on this card and returning this card to the addressee.

**Response Letter**

Inventor(s): Thomas Hugan  
Title: Commimuting Machine  
Application Ser. No.: 10/988,029  
Filing Date: 31/12/2002      JTO2 Rec'd PCT/P10      10 Nov 2004

Documents submitted:

Cover letter:  (1 page/s)  
Copy of Petition (incl. fee transmittal):  (3 page/s)  
Copy of Fax Report:  (1 page/s)

Gud

REMAN